

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: Case No. 24-30760
Minnesota Implant Center, P.L.L.C., Chapter 7
Debtor.

**NOTICE OF HEARING AND MOTION FOR ORDER AUTHORIZING
EXAMINATIONS AND RELATED DOCUMENT PRODUCTION
PURSUANT TO RULE 2004**

TO: The debtor and other entities specified in the applicable Federal Rules of Bankruptcy Procedure and Local Rule 9013-2.

1. Nauni Manty, the chapter 7 trustee of the bankruptcy estate of Minnesota Implant Center, P.L.L.C., moves the court for authorization to conduct Rule 2004 examinations and gives notice of hearing.

2. The court will hold a hearing on this motion on **Thursday, May 2, 2024, at 10:30 a.m.** in Courtroom 8W, at the Diana E. Murphy United States Courthouse, 300 South Fourth Street, in Minneapolis, Minnesota 55415.

3. Any response to this motion must be filed and served not later than **Thursday, April 25, 2024**, which is seven days before the time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY SERVED AND FILED, THE COURT MAY ENTER AN ORDER GRANTING THE REQUESTED RELIEF WITHOUT A HEARING.**

4. This court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Fed. R. Bankr. P. 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition

commencing the chapter 7 bankruptcy case was filed on March 22, 2024. This case is now pending in this court.

5. This motion arises under Fed. R. Bankr. P. 2004. This motion is filed pursuant to Fed. R. Bankr. P. 9014 and Local Rules 9013-1 and 9013-2.

6. The trustee seeks to examine the following entities and individuals:

- a. Dr. Marko Kamel
- b. Marisa Simonetti
- c. Bell Bank
- d. Wings Credit Union
- e. American Express Company
- f. CloudFund, LLC
- g. Funding Metrics, LLC
- h. De Lage Landen Financial Services, Inc.
- i. ChoiceHealth Finance
- j. QL Titling Trust, Ltd.
- k. Oneview Finance
- l. Wells Fargo Bank, N.A.

7. Dr. Kamel is the principal of the debtor. Dr. Kamel has knowledge of the debtor's business operations, which the trustee seeks to examine. Moreover, prepetition, Dr. Kamel was the plaintiff in a lawsuit filed in the State of Minnesota, County of Hennepin, Case No. 27-CV-23-2044 (the "Lawsuit"), in which he alleged that his ex-fiancé, Marisa Simonetti, made attempts at the unauthorized use of the debtor's credit card. The trustee seeks to examine Dr. Kamel about the allegations in the lawsuit and about other transfers of the debtor's property.

8. Marisa Simonetti is the ex-fiancé of Dr. Kamel. The trustee seeks to examine Ms. Simonetti related to alleged transfers of the debtor's property and attempted use of the debtor's credit card for her benefit.

9. Dr. Kamel owns depository bank accounts at Bell Bank and Wings Credit Union. The trustee seeks to examine Bell Bank and Wing Credit Union to obtain Dr. Kamel's account records so she can analyze the records for avoidance causes of actions.

10. The debtor held a credit card account with American Express Company. The trustee seeks to examine the account records to analyze for avoidance causes of action.

11. The debtor held a checking account at Wells Fargo Bank. The trustee seeks to examine Wells Fargo Bank to obtain bank account records to analyze for avoidance causes of action.

12. CloudFund and Funding Metrics are scheduled as secured creditors of the debtor. Despite requests, the debtor has been unable to produce the CloudFund and Funding Metrics loan documents. The trustee's attorney contacted CloudFund and Funding Metrics by telephone to obtain the loan documents, but they have failed to respond to the request. The trustee seeks to examine CloudFund and Funding Metrics to obtain copies of their loan documents with the debtor in order to assess the scope of their security interest, if any, in the debtor's personal property.

13. De Lage Landen Financial Services, ChoiceHealth Finance, QL Titling Trust, Ltd, and OneView Finance each recorded a UCC-1 financing statement against Woodbury Dental Arts, which is the assumed name of the debtor. The trustee seeks to examine these entities to obtain copies of their loan documents with the debtor or Woodbury Dental Arts in order to assess the scope of their security interests, if any, in the debtor's personal property.

14. The information sought pursuant to Rule 2004 is necessary because it relates directly to the assets, liabilities and financial condition of the debtor, which affect the administration of this estate.

WHEREFORE, the trustee respectfully requests that this court enter an order:

1. Authorizing the trustee to conduct an examination of the following entities pursuant to Fed. R. Bankr. P. 2004:

- a. Dr. Marko Kamel
- b. Marisa Simonetti
- c. Bell Bank
- d. Wings Credit Union
- e. American Express Company
- f. CloudFund, LLC
- g. Funding Metrics, LLC
- h. De Lage Landen Financial Services, Inc.
- i. ChoiceHealth Finance
- j. QL Titling Trust, Ltd.
- k. Oneview Finance
- l. Wells Fargo Bank, N.A.

2. Granting the trustee such other and further relief as may be just and appropriate.

Dated: April 15, 2024

MANTY & ASSOCIATES, P.A.

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